

REMARKS

INTRODUCTION

The Applicant thanks the Examiner for entering the amendments to the specification, the drawings and to claims 4-5, 13 and 40-41.

DRAWINGS

The Applicant herein notes that the Drawings received on 10/25/2004 were acceptable.

TERMINAL DISCLAIMER

The Applicant herein notes that the Terminal Disclaimer disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of US Patent No.: 6,509,415 has been reviewed and accepted.

DOUBLE PATENTING

Claims 1-5, 10-15, 35 and 36 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 2, 4, 6 and 7 of US Patent No.: 6,171,687. Although the Applicant respectfully disagrees, a Terminal Disclaimer was provided in the Response to the last Office Action filed on 10/25/2004. A copy of that Terminal Disclaimer is herein attached, along with the original Transmittal for the above-referenced Office Action.

Claim 17 is rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 3 of US Patent No.: 6,171,687 in view of Chen et al (US 5,858,869). Although the Applicant respectfully disagrees, a Terminal Disclaimer was provided in the Response to the last Office Action filed on 10/25/2004. A copy of that Terminal Disclaimer is herein attached, along with the original Transmittal for the above-referenced Office Action.

Claim 1 of the present application recites: "a first polymer layer on the surface of a substrate; a second layer that comprises a nanoporous material and is on the surface of the first layer; and an additional polymer layer at least partially on the surface of the second layer and at least partially infiltrating the pores of the second layer, wherein the infiltrating layer reinforces the strength of the underlying nanoporous material by coating the surfaces containing the pores"

Chen et al. (Chen) teaches a method for making multilevel electrical interconnections having a planar intermetal dielectric (IMD) with low dielectric constant k and good thermal conductivity. As the Examiner states, there is no teaching or suggestion in Chen that the dielectric material comprise pores or nanopores.

Claims 34, 40 and 41 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 3 of US Patent No.: 6,171,687 in view of

Lau (US 6,509,415). Although the Applicant respectfully disagrees, a Terminal Disclaimer related to patent 6,171,687 was provided in the Response to the last Office Action filed on 10/25/2004. A copy of that Terminal Disclaimer is herein attached, along with the original Transmittal for the above-referenced Office Action.

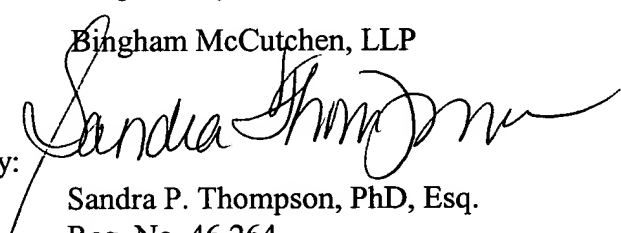
REQUEST FOR ALLOWANCE

Claims 1-5, 10-15, 17 and 34-36 and 40-41 are pending in this application, and the Applicant respectfully requests that the Examiner reconsider all of the claims in light of the arguments presented and allow all current and pending claims.

Respectfully submitted,

Bingham McCutchen, LLP

By:

A handwritten signature in black ink, appearing to read "Sandra Thompson", is written over the printed name and firm information.

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